

6319. Vacuum cleaners. (F.D.C. No. 43519. S. Nos. 64-764/5 P.)

QUANTITY: 16 vacuum cleaners at Durango, Colo., in possession of Floyd Main.

SHIPPED: Between 3-24-59 and 7-9-59, from Amarillo, Tex., and Detroit, Mich.

ACCOMPANYING LABELING: Two printed pages of sales instructions.

LIBELED: 9-9-59, Dist. Colo.

CHARGE: 502(a)—while held for sale, the labeling which accompanied the article contained false and misleading representations that the article would be effective in preventing airborne infections causing 85 percent of deaths from infectious and parasitic diseases; and that it would eliminate many causes of sickness and disease by removing dust from the air in the home; and 502(f)(1)—the labeling of the article failed to bear adequate directions for use for the purposes for which it was intended, namely, in the prevention and treatment of colds, croup, asthma, hay fever, sinus infections, and for the prevention of airborne infections in general, and tuberculosis in particular, which were the purposes for which the article was offered in oral statements made by Floyd Main in promoting the sale of the article.

DISPOSITION: 7-25-60. Consent—claimed by Floyd Main, Durango, Colo., and released under bond to be sold only in compliance with the law.

DRUGS ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS

DRUGS FOR HUMAN USE

6320. Contact lens wetting solutions. (Inj. No. 387.)

COMPLAINT FOR INJUNCTION FILED: 8-23-60, N. Dist. Ill., against James H. Conover, t/a Micon Laboratories, Chicago, Ill.

LABEL IN PART: "MI-CON Wetting Solution A sterile cleanser for PLASTIC CONTACT LENSES, containing the germicide Benzalkonium Chloride. * * * Active ingredients: Alkyl dimethyl benzyl ammonium chloride 1:25000 MICON LABORATORIES 905 Jackson St. Wauconda, Ill."; "I-SEPTIC A sterile, Isotonic soothing solution for the wetting and cleansing of plastic Corneal Lenses. * * * Active ingredient: Alkyl dimethyl benzyl ammonium chloride, chlorophyll 1:50,000. MICON LABORATORIES 905 Jackson St., Wauconda, Ill."; "STERL-IZE A sterile isotonic supplement to MICON contact lens fluids. * * * Active ingredients: Merthiolate 1:100,000, Dehydroacetic acid sodium salt 0.40%. MICON LABORATORIES Wauconda, Ill."; "STERILEN A sterilizing solution for storing contact lenses STERILIZES . . . As it soaks . As it wets . As it cleans To promote greater comfort and longer wearing time. MICON LABORATORIES 905 Jackson St. Wauconda, Ill. * * * ACTIVE INGREDIENTS: Alkyldimethylbenzyl, Ammonium Chloride 1:10,000 DHA-S—0.4%"; (vial) "5 cc. Sample UCL Wetting Solution Directions * * * Distributed by United Contact Lens Corp. 76 Madison Ave., New York 16, N.Y." and (ctn.) "Pints W S. Micon From Micon Labs. Wauconda, Ill. to United Contact Lenses 76 Madison Ave., New York City."

CHARGE: The complaint alleged that the defendant was engaged in the business of manufacturing, preparing, packaging, labeling, selling, and distributing articles of drug, namely, "*Mi-Con Wetting Solution*," "*I-Septic*," "*Sterl-Ize*," "*Sterilen*," and "*UCL Wetting Solution*," and that he had been